

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

PATRICE WASHINGTON,

Plaintiff,

v.

U.S. DHS- HSI, U.S. DHS - ICE,

Defendants.

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CIVIL NO. W-24-CV-00592-ADA

**ORDER ADOPTING MAGISTRATE
JUDGE’S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 5. The report recommends Plaintiff’s Motion to Withdraw Complaint (ECF No. 4) be construed as a Motion to Dismiss, and that the Motion to Dismiss be **GRANTED**. The report and recommendation was filed on December 17, 2024.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court.¹ 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). As of today, neither party has filed objections.

When no objections are timely filed, a district court reviews the magistrate judge’s report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee’s note (“When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error

¹ A party proceeding pro se who is served with the report and recommendation by mail has three additional days added to the fourteen-day period, meaning that party has seventeen days from the date the report and recommendation was mailed to serve and file objections. Fed. R. Civ. P. 6(d). If the last day of that prescribed period falls on a Saturday, Sunday, or legal holiday, then the deadline is extended until the end of the next day that is not a Saturday, Sunday, or legal holiday. Fed. R. Civ. P. 6(a)(1)(C).

on the face of the record in order to accept the recommendation.”). The Court has reviewed the report and recommendation and finds no clear error.

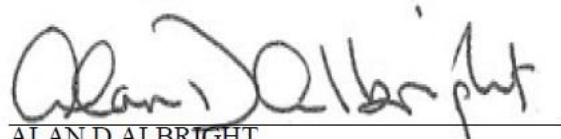
IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Manske (ECF No. 5) is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff’s Motion to Withdraw is construed as a Motion to Dismiss, and that the Motion to Dismiss is **GRANTED**.

IT IS FURTHER ORDERED that the case be **DISMISSED**.

IT IS FINALLY ORDERED that the Clerk of Court is respectfully directed to **CLOSE** the case.

SIGNED this 10th day of January, 2025.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE